

[Back to Document Comments \(/document/NOAA-NMFS-2025-0999-0001/comment\)](/document/NOAA-NMFS-2025-0999-0001/comment)

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Comment from Vanleeuwen, Robert

Posted by the **National Oceanic and Atmospheric Administration** on Mar 13, 2026[Docket \(/docket/NOAA-NMFS-2025-0999\)](/docket/NOAA-NMFS-2025-0999)[/ Document \(NOAA-NMFS-2025-0999-0001\) \(/document/NOAA-NMFS-2025-0999-0001\)](/document/NOAA-NMFS-2025-0999-0001) / [Comment](#)

Comment

SUBJECT: USN Takings in Towed Sonar & Sub Interdiction Activities (91 FR 11618; RIN 0648-BN61)

(1) The United States Navy (USN) petitions for a blanket 7-year take in peacetime sonar operations with the National Oceanic and Atmospheric Administration's (NOAA) Marine Fisheries Service (NMFS). This promulgation concerns the Western and Central North Pacific (NPO) and Eastern Indian Ocean (EIO) - both of which fall squarely in Pacific Command's (PACCOM) neighborhood. These regulations represent a repetitive classification following preceding endorsement (67 FR 46712; 72 FR 46846; 77 FR 50290; 84 FR 40132). Due to the singular opposition received by the civilian conservancy "Turtle Island" and in what has otherwise become an ordinary course in custom (91 FR 11618, 11619), additional review of the opposition was conducted objectively. However, after careful study of the claims and inferences, I find the petition and promulgation continue to comply with the Marine Mammal Protection Act (MMPA) (16 USC § 1361, et seq) and recommend adoption of all Incidental Take Regulations (ITR's) without further delay.

(2) "Sonar" is actually an acronym for "[SO]und [NA]vigation and [R]anging". It comes in two basic forms: "passive" and "active". The "active" form entails the direct use of energy (or sound) to express contour by processing the echo received from that energy output. "Passive" systems, on the other hand, do not propagate electromagnetic or sound waves but, instead, "listen" by relying on other transmitters and reverberations in the natural environment (71 S.C.L. Rev. 523, 543 [describes sonar]). The greater the disturbance, the clearer the image. These forms can be attributed to the terms "speaking" and "listening" in a nip, but as they are bound in congruence, "active" sonar may be visualized as but a feature of the "passive" system, which is constant in its state.

(3) The towed array under scrutiny today (SURRTASS LFA) was originally developed 'round the whole Y2k period, back when humanity's greatest fear was rolling all those new electronic 9's back to 0's (& whether Twinkies would survive the doom). Well, nuclear armageddon never happened and the aliens never brought back Elvis... but we did get a pretty kickass tow array. The moment we flipped the switch headphones were being snatched off like crazy on almost every continent. Pissed off PETA and them environmental groups pretty bad, what with nobody ever seeing a "whale stampede" before (73 Fordham L. Rev. 1289, 1289-90

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[beached whales, stampedes & confused porpoises pre/post Y2k]; See 279 F.Supp.2d 1129, 1141-42 [harassing the local fauna]]. At issue? The SURTASS LFA acts like a floodlight, capable of generating a 215 decibel "ping" through multiple speaker / hydrophone harnesses. Hundreds of miles away, that ping can stand at a continuous 160 decibels. This can, is and should be considered a major environmental impact. I mean, what did Willy ever do to you? To think we worked so tirelessly to free the guy only to blow out his ears and chase him right up the beach and out the water... not cool. Crazy out porpoises swimming in circles may be amusing to some, but when you dive into what's happening and the effect our actions have on these poor animals, it's clear someone should be paying attention. The death or these animals effects a pyramid and stability of the entire ecosystem. & that's the crux of "Turtle Islands" problem with the USN proposal.

(4) Contrary to popular beliefs, however, neither the Navy nor the Federal Government have ever turned a blind eye to the importance of our natural environment. The MMPA - a set of laws passed by Congress - prohibits the "take" of marine mammals, which by definition includes their "harassment" (16 USC § 1362 [defines take]). This distinctly makes the use of such a sonar system as described above patently illegal. At least for those falling under the laws of the United States. Those seeking exception must petition the NMFS with good cause (16 USC § 1371). Military Readiness...

See paragraph (4) & (5) in attachment

*** To the respective commanders of the USNS IMPECCABLE, ABLE, EFFECTIVE, and VICTORIOUS listed in procurement. Thank you for your continued service and faithful dedication to the core values of our United States.

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MARKED FOR:

United States Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Attn: Ben Laws & Alyssa Clevestine, NMFS Panel

Department of the United States Navy,
Joseph Phelan, Secretary

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Attachments 2



Usn



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Page Count

1



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- [Bulk Data Download](/bulkdownload)
(/bulkdownload)
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(/agencies)
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(/learn)
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(/faq)
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